

recommendation were timely filed on October 13, 2015.

A de novo review of the record indicates that the magistrate judge's report accurately summarizes this case and the applicable law. Accordingly, the magistrate judge's Report and Recommendation is **AFFIRMED**, and the complaint is **DISMISSED** with prejudice.

IT IS FURTHER ORDERED that this case be deemed as a "strike" for the purposes of the "three strikes" rule of 28 U.S.C. § 1915(g).

AND IT IS SO ORDERED.



David C. Norton
United States District Judge

October 26, 2015
Charleston, South Carolina

NOTICE OF RIGHT TO APPEAL

The parties are hereby notified that any right to appeal this Order is governed by Rules 3 and 4 of the Federal Rules of Appellate Procedure

of what is required." Id. at 846. Plaintiff was advised in a clear manner that his objections had to be filed within ten (10) days, and he received notice of the consequences at the appellate level of his failure to object to the magistrate judge's report.